

**UNITED STATES DISTRICT COURT**  
**FOR THE**  
**DISTRICT OF MONTANA**  
**Petition for Warrant for Offender Under Supervision**

**Name of Offender:** Richard Lee Rogers

**Docket Number:** 0977 1:23CR00112-001

**Name of Sentencing Judicial Officer:** THE HONORABLE SUSAN P. WATTERS  
UNITED STATES DISTRICT JUDGE

**Date of Original Sentence:** 02/26/2025

**Original Offense:** 18:115A.F; MURDER - FAMILY OF FEDERAL OFFICIAL; 47:223A.F; OBSCENE  
OR HARASSING TELEPHONE CALLS

**Original Sentence:** 48 months probation

**Type of Supervision:** Probation

**Date Supervision Commenced:** 02/26/2025

**Assistant U.S. Attorney:** Thomas Godfrey  
2601 2nd Avenue North, Ste 3200, Billings, MT 59101, 406-247-4631

**Defense Attorney:** Daniel O.C. Ball  
Hendrickson Everson Noennig & Woodward, PO Box 2502, Billings, MT 59103-2502, 406-245-6238

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**PETITIONING THE COURT**

**Background**

On 02/26/2025, the defendant appeared for sentencing before THE HONORABLE SUSAN P. WATTERS, UNITED STATES DISTRICT JUDGE, having been found guilty by jury trial of the offenses of 18:115A.F; MURDER - FAMILY OF FEDERAL OFFICIAL; 47:223A.F; OBSCENE OR HARASSING TELEPHONE CALLS. The offense involved the defendant threatening to assault and murder Kevin McCarthy, the speaker of the United States House of Representatives. The defendant was sentenced to 48 months probation. The defendant began the current term of probation on 02/26/2025.

Since that time, the probation officer believes the defendant has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<b>Standard Condition:</b> You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
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On 02/26/2025, after sentencing in the underlying offense, the defendant was instructed to report to the U.S. Probation Office on 02/27/2025, for sign-up with U.S. Probation Officer (USPO) Dietz. The defendant failed to report as instructed.

- 2      **Special Condition:** You must not purchase, possess, use, distribute or administer marijuana, including marijuana that is used for recreational or medicinal purposes under state law.

On 02/28/2025, during his sign-up, the defendant provided a urine sample that was presumptive positive for THC. The defendant signed an Admission of Use Form stating he last consumed marijuana on 02/28/2025.

On 03/14/2025, the defendant reported to the U.S. Probation Office as instructed. The defendant provided a urine sample that was presumptive positive for THC. The defendant signed an Admission of Use Form stating he last consumed marijuana on 03/14/2025. At this meeting, the defendant expressed his intent to continue smoking marijuana every day forward.

- 3      **Special Condition:** You must participate in an outpatient program for mental health treatment as approved by the probation officer. You must remain in the program until you are released by the probation officer in consultation with the treatment provider. You must pay part or all of the costs of this treatment as directed by the probation officer.

On 03/11/2025, USPO Dietz instructed the defendant via email to report to Alternatives, Inc. on 03/14/2025, at 10:00am to sign up for a mental health assessment and drug testing. On 03/14/2025, at 9:00am, USPO McCall met with the defendant at the U.S. Probation Office and instructed him to report to Alternatives, Inc. to sign up for his mental health assessment and drug testing. The defendant stated he would go sign up for drug testing, but he would not do a mental health assessment. The defendant failed to report for his scheduled enrollment at Alternatives, Inc.

- 4      **Special Condition:** You must participate in substance abuse testing to include not more than 104 urinalysis tests, not more than 104 breathalyzer tests, and not more than 36 sweat patch applications annually during the period of supervision. You must pay part or all of the costs of testing as directed by the probation officer.

On 03/11/2025, USPO Dietz instructed the defendant via email to report to Alternatives, Inc. on 03/14/2025, at 10:00am to sign up for a mental health assessment and drug testing. On 03/14/2025, at 9:00am, USPO McCall met with the defendant at the U.S. Probation Office and instructed him to report to Alternatives, Inc. to sign up for his mental health assessment and drug testing. The defendant stated he would go sign up for drug testing,

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but he would not do a mental health assessment. The defendant failed to report for his scheduled enrollment at Alternatives, Inc.

**AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A WARRANT BE ISSUED**

In conformance with the provision of 28 U.S.C. § 1746, I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the offender has violated conditions of supervision, I am petitioning the Court to issue a warrant.

Reviewed

Respectfully Submitted

By:



Martin Hylland  
Supervising United States Probation Officer  
Date: 03/18/2025

By:



Kyle McCall  
United States Probation Officer  
Date: 03/18/2025

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**ORDER OF COURT**

I find there is probable cause to believe the offender has violated conditions of supervision, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a warrant. Considered and ordered this 18th day of March, 2025, and ordered filed **UNDER SEAL** and made a part of the records in the above case.

IT IS FURTHER ORDERED that upon notification to the Clerk of Court's Office that the above named Defendant has been taken into custody, the Petition for Warrant or Summons for Offender Under Supervision shall be unsealed.



Susan P. Watters

United States District Judge

03/18/2025

Date